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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**IN RE:**

**CASE NO.: 24-44095-MXM-13**

**CARLOS DEJUAN BAKER  
1401 HACKNEY DR  
MANSFIELD, TX 76063  
SSN/TIN: XXX-XX-8436**

**GAY AVERY BAKER  
1401 HACKNEY DR  
MANSFIELD, TX 76063  
SSN/TIN: XXX-XX-1978**

**DEBTORS**

**HEARING: FEBRUARY 20, 2025 AT 8:30 AM**

**TRUSTEE'S AMENDED OBJECTION TO CONFIRMATION**

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

NOW COMES Pam Bassel Standing Chapter 13 Trustee and files this Trustee's Amended Objection to Confirmation. Trustee would respectfully show the Court:

In addition to the grounds alleged in the previous objection, which are incorporated herein by reference, the Trustee objects to confirmation for the following reason(s):

The Plan fails the feasibility test of Section 1325 (a)(6) because Debtors' Plan provides for the following plan payments:  
TO THE TRUSTEE THE SUM OF \$9,100.00 PER MONTH FOR THE FIRST 2 MONTHS; \$8,880.00 PER MONTH FOR THE FINAL 58 MONTHS FOR A TOTAL OF \$533,240.00 IN 60 MONTHS.

Debtors' monthly surplus per Schedules I and J is \$8,139.32.

The Plan Base or Plan Payments are insufficient to pay administrative claims, secured claims, priority claims, or the unsecured creditors' pool.

Debtors have not filed all applicable federal, state, and local tax returns as required by Sections 1308 & 1325 (a)(9). Tax return(s) for the following tax year(s) have not been filed: 2023.

The Plan fails the best interests of creditors test of Section 1325(a)(4). Debtors have equity in non-exempt property as follows:

BANK ACCOUNT \$397.90  
UNDISCLOSED NAVY FCU BANK ACCOUNT UNKNOWN VALUE  
UNDISCLOSED LIFE INSURANCE POLICIES UNKNOWN VALUE  
UNDISCLOSED RETIREMENT ACCOUNT UNKNOWN VALUE  
UNDISCLOSED 7136 PLAYA GRAND PRAIRIE UNKNOWN VALUE

The total equity in non-exempt property is unknown but the Plan provides for equity in non-exempt property of \$397.90.

The Plan fails the best interests of creditors test of Section 1325(a)(4) because Debtors may have non-exempt property with a value which has not yet been determined or disclosed.

Debtors' unsecured debt exceeds the eligibility requirements of Section 109(e).

The Plan does not meet the requirements of the Bankruptcy Code and should not be confirmed for the following reasons:  
PRIORITY TAX CLAIMS CANNOT BE PAID DIRECTLY PER THE FORM PLAN.

The Plan violates the conduit provisions of the the Standing Order Concerning All Chapter 13 Cases. The Debtors are sufficiently delinquent to a Mortgage Lender and are required to file a Plan that provides for an appropriate number of ongoing monthly mortgage payments and cures mortgage arrears through the Conduit Program.

Debtors are above-median and must file a plan with a sixty-month applicable commitment period and a calculation of disposable income.

WHEREFORE, Trustee prays that confirmation be DENIED and for general relief.

Respectfully submitted,

By: /s/ Ethan S. Cartwright  
Ethan S. Cartwright, Staff Attorney  
Bar No. 24068273  
PAM BASSEL STANDING CHAPTER 13 TRUSTEE  
Bar No. 01344800  
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Hurst, TX 76054  
(817) 916-4710 Phone

### **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served on or before the date of filing. Service was accomplished electronically on Debtors' attorney and all parties entitled to electronic notice and by first class mail on the Debtors and the parties listed below, if any.

By: /s/ Ethan S. Cartwright  
Ethan S. Cartwright

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GAY AVERY BAKER  
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